



CLERK, U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS

**ENTERED**

THE DATE OF ENTRY IS ON  
THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed October 7, 2022

  
United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

In re:

FRESH ACQUISITIONS, LLC, <i>et al.</i> , <sup>1</sup>	§	Case No. 21-30721 (SGJ)
	§	Chapter 11
Debtors.	§	(Jointly Administered)

**ORDER APPROVING SETTLEMENT**

This matter comes before the Court on the *Liquidating Motion to Approve Settlement* (the “**Motion**”) [Doc No. 889], filed by David Gonzales (the “**Trustee**”), in his capacity as Trustee of the Fresh Acquisitions Liquidating Trust (the “**Trust**”).

<sup>1</sup> The Debtors in these Chapter 11 cases (“Debtors”) and the last four digits of each Debtor’s Taxpayer Identification Number are as follows: Alamo Fresh Payroll, LLC (1590); Fresh Acquisitions, LLC (2795); Alamo Ovation, LLC (9002); Buffets LLC (2294); Hometown Buffet, Inc. (3002); Tahoe Joe’s Inc. (7129); OCB Restaurant Company, LLC (7607); OCB Purchasing, Co. (7610); Ryan’s Restaurant Group, LLC (7895); Fire Mountain Restaurants, LLC (8003); Food Management Partners, Inc. (7374); FMP SA Management Group, LLC (3031); FMP-Fresh Payroll, LLC (8962); FMP-Ovation Payroll, LLC (1728); and Alamo Buffets Payroll, LLC (0998). The Debtors’ principal offices are located at: 2338 N. Loop 1604 W., Suite 350, San Antonio TX, 78248, United States.

Having considered the Motion, the Court finds and concludes that it has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; that venue of this proceeding and the Motion in this District is proper pursuant to 28 U.S.C. §§ 1408 and 1409; that the relief requested in the Motion is in the best interests of the Debtors' estates, their creditors, the Trust, and other parties in interest; that the Trustee's notice of the Motion and opportunity for a hearing thereon were appropriate and no other notice need be provided; and that the legal and factual bases set forth in the Motion and at any hearing on the Motion establish just cause for the relief granted herein. After due deliberation and sufficient cause appearing therefor, it is hereby ORDERED THAT:

1. The Motion is GRANTED.
2. The settlement between the Trust and Brian Padilla, Frances Shirryn Williams Padilla, and BPTX Holdings, LLC is APPROVED, in accordance with the terms of the Settlement Agreement between those parties attached as Exhibit A to the Motion.
3. Notice of the Motion as provided therein shall be deemed good and sufficient notice of such Motion, and the requirements of Bankruptcy Rule 6004(a) and the Local Rules are satisfied by such notice.
4. Notwithstanding Bankruptcy Rule 6004(h), the terms and conditions of this Order are immediately effective and enforceable upon its entry.
5. The Trust and the Trustee are authorized to take all reasonable actions necessary to effectuate the relief granted in this Order, in accordance with the Motion.
6. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

### END OF ORDER ###

SUBMITTED BY:

/s/ Carolyn J. Johnsen

Carolyn J. Johnsen

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William L. Novotny (admitted *pro hac vice*)

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